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*Attorneys for Jeremiah Foster  
Chapter 11 Trustee*

**UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF MONTANA**

In re  SHOOT THE MOON, LLC,  Debtor.	Case No. 15-60979-11
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**THIRD INTERIM APPLICATION FOR PROFESSIONAL  
FEES AND COSTS**

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COMES NOW the undersigned professional, Datsopoulos MacDonald & Lind, P.C., counsel for Jeremiah Foster, the Chapter 11 Trustee in the above-captioned bankruptcy case, and in accordance with 11 U.S.C. 331, hereby makes application for approval of an award of fees in the amount of \$180,825.45 and

costs in the amount of \$3,743.59 and in support of this application respectfully represents:

1. The Debtor has filed a petition herein on October 21, 2015, under Chapter 11 of Title 11, United States Code.
2. The Court conditionally approved the appointment of Jeremiah Foster as Trustee on October 28, 2015, and thereafter appointed Jeremiah Foster as Trustee without condition on November 5, 2015.
3. On October 29, 2015, undersigned counsel, David B. Cotner, filed an application for appointment as attorney for the Trustee on behalf of the law firm of Datsopoulos MacDonald & Lind, P.C.
4. On November 12, 2015, the Court authorized the Trustee to employ the law firm of Datsopoulos MacDonald & Lind, P.C. (“DML”) to act as counsel for Trustee in these proceedings (Doc. 74).
5. DML commenced to render services for and on behalf of the Trustee on October 26, 2015.
6. This interim application applies to all DML fees and costs covering the period commencing on July 13, 2016 through and including October 31, 2016.
7. This interim application is the third application filed by DML as counsel for Trustee in this proceeding.

8. To date, DML has received \$406,036.52 in compensation from Trustee for DML's professional services and costs in connection with these Chapter 11 proceedings.

9. This interim application is based on the performance of professional services by the following individuals at the rates and for the number of hours described below:

<u>Individual</u>	<u>Total Hours</u>	<u>Hourly Rate</u>	<u>Compensation</u>
David B. Cotner, Esq.	203.85	\$325	\$66,251.25
Trent Baker, Esq.	372.9	\$275	\$102,547.50
Joslin Monahan, Esq.	7	\$175	\$1,225.00
Angela Hawkaluk, paralegal	38.3	\$85	\$3,255.50
Kristi Arnold, paralegal	88.02	\$85	\$7,481.70
Hanna Eastburn, assistant	2.15	\$30	\$64.50

Total Compensation Requested: **\$180,825.45**

Total Costs/Reimbursement of Expenses Requested: **\$3,743.59**

10. The compensation requested is based on the customary compensation charged by comparably skilled practitioners in cases other than under the Bankruptcy Code. The services performed by DML include: preparation of amended bankruptcy schedules and statement of financial affairs; representation of

Trustee at the meeting of creditors and court appearances; vetting, selection, and appointment of professionals, including legal counsel, real estate broker, real estate agent and advisor, certified public accountants, an accounting consultant, and a restaurant enterprise broker; reviewing and filing of monthly operating reports; drafting motions and other pleadings on behalf of Trustee; reviewing and responding to written and electronic communications from creditors (and their counsel) and other parties in interest; obtaining turnover of property of the bankruptcy estate; negotiating payment of administrative expenses of the estate; advising trustee in his efforts to maintain the business of the Debtor; negotiation of post-petition financing for the estate; representation of Trustee at 2004 exams; coordinating the services being provided by professionals; obtaining court approval to extend applicable bankruptcy deadlines; negotiation regarding sale of the business and assets of the Debtor; provide counsel to Trustee on legal matters affecting Trustee's duties; and otherwise representing Trustee in identifying, obtaining, and preserving property of the bankruptcy estate.

11. DML certifies that none of the compensation or reimbursement for costs applied for will be shared with any entity in violation of 11 U.S.C. §504.

12. Attached as **Exhibit A** is a complete time record detailing each service performed by each attorney and paralegal of DML by date, description and number of hours expended, and project code, for which compensation is requested.

13. Attached as **Exhibit B** is a complete account for all costs incurred for which reimbursement is requested.

14. The amount of costs was computed utilizing the following methods of allocation: copies are charged at the rate of \$.10 each, mileage is charged at \$.52 per mile rate, postage is charged at actual cost.

15. Applicant has been promised the following payment for services in connection with this case: Only such amounts as are approved by the Bankruptcy Court, to be paid from Debtor's post-petition income or assets of the bankruptcy estate.

16. All services for which compensation is requested were performed in connection with this bankruptcy case or proceedings herein and were not for services in any other matter.

17. Undersigned has provided copies of this application to Trustee and Trustee does not object to this interim application.

18. This application is filed as a third interim application for all time and charges through October 31, 2016, 120 days following the first interim application for compensation in this bankruptcy case.

19. Status of the case: ongoing, the Trustee is continuing to administer the affairs of the bankruptcy estate.

WHEREFORE, applicant prays that this Court enter an Order awarding applicant reasonable professional fees in the amount of \$180,825.45 and reimbursement of costs and expenses in the amount of \$3,743.59.

DATED this 30<sup>th</sup> day of November, 2016.

DATSOPOULOS, MacDONALD & LIND, P.C.

By: /s/ Trent N. Baker  
Trent N. Baker